

REMARKS

Claims 1, 7–36, 41–43, and 46 are pending in this application. Non-elected claims 8–15, 17–20, 22–36, and 41–43 are withdrawn from consideration by the Examiner. By this Amendment, claims 1, 7, and 46 are amended. Support for the amendments to the claims may be found, for example, in the specification at page 6, lines 27–36, page 7, lines 10–12, and page 9, lines 18–20. No new matter is added.

In view of the foregoing amendments and following remarks, reconsideration and allowance are respectfully requested.

I. Rejections Under 35 U.S.C. §102

A. Perron

The Office Action rejects claims 1, 7, 16, and 21 under 35 U.S.C. §102(b) as being anticipated by Perron et al. (1997) ("Perron"). Applicants respectfully traverse the rejection.

By this Amendment, independent claims 1 and 7 are amended to recite "consisting of" and "consists of" instead of "comprising," "comprises," and "having." Perron fails to disclose the claimed nucleic acid molecules. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

B. Seifarth

The Office Action rejects claims 1, 16, and 46 under 35 U.S.C. §102(b) as being anticipated by Seifarth et al. (1998) ("Seifarth"). Applicants respectfully traverse the rejection.

Claim 1 is amended as discussed above. Claim 46 is similarly amended. Seifarth fails to disclose the claimed nucleic acid molecules. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

II. Response to Requirement for Information Under 37 C.F.R. §1.105

In response to the information required in Section 6 of the Office Action regarding Perron et al. (1997), Applicants submit that the virions analyzed were obtained from choroid plexus cells from MS patients; neither a sequence comprising SEQ ID NO:2 nor a sequence encoding SEQ ID NO:31 was identified, as the inventors only identified elements of the *pol* gene of MSRV/ERV9.

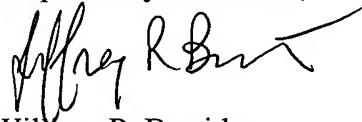
In response to the information required in Section 7 of the Office Action regarding Drwinga et al., Applicants submit that neither a sequence comprising SEQ ID NO:2 nor a sequence encoding SEQ ID NO:31 was identified in the NIGMS somatic hybrid Mapping Panel #2; although the material may have comprised one of these sequences, they were not identified as such.

III. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the application are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



William P. Berridge
Registration No. 30,024

Jeffrey R. Bousquet
Registration No. 57,771

WPB:JRB

Date: December 12, 2008

OLIFF & BERRIDGE, PLC
P.O. Box 320850
Alexandria, Virginia 22320-4850
Telephone: (703) 836-6400

**DEPOSIT ACCOUNT USE
AUTHORIZATION**

Please grant any extension
necessary for entry;
Charge any fee due to our
Deposit Account No. 15-0461